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July 6, 2012

Letter of Appeal
Schools & Libraries Division-Correspondence
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

To Whom It May Concern:

Entity & BEN	Hayti School District R 2 (137070)
Contact Person	Richard Senturia CRN 160048902
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Service Provider	Southwestern Bell (SPIN 143004662) SBC Long Distance (SPIN 143008823) AT&T Mobility (SPIN143025240) Edline, LLC. (SPIN 143027282) Shelton Business Machines, Inc. (SPIN 143005459) Shelton Business Machines, Inc. (SPIN 143005459)
Funding Year	2011
Application Type Application Number	Form 471 821211
FRNs	2236287, 2236308, 2236329, 2236407, 2236438
Appeal Reason	FCDL dated 03/06/12, FRN Denial for Late item 21 Attachment

Appeal Explanation:

All FRNs on Application #821211 were denied with the following denial comment in the FCDL:

This FRN is denied because the Item 21 Attachment was not received on or before the filing deadline. The Item 21 Attachment is an FCC Form 471 Window filing requirement. You failed to provide sufficient documentation demonstrating the Item 21 Attachment was submitted timely. FCC Forms 471 with Item 21 Attachments that met the FCC Form 471 Window requirements have funding priority over applications received after the filing deadline. Given that funding demand for FCC Forms 471 filed within the window exceeds the amount available for commitment, we cannot consider this FRN for funding.

eRateProgram, LLC. asks the Commission to waive the Item 21 filing deadline for Funding Year 2011 for Hayti School District R 2 (BEN 137070) for the following reasons:

- The school district relied completely on a consultant who apparently did not file item 21 attachments within the filing deadline.
- The implementation of the new policy during the first year created an inordinate amount of confusion for the applicant.
- This is the first year Item 21 attachments were a filing deadline requirement compared to prior years' policy when Item 21 attachments could be submitted later.
- Item 21 attachment deadline is a matter of policy rather than statute.
- The Commission has the discretion to waive its regulations for good cause.

eRateProgram, LLC. believes this request for review and waiver is justified in the public interest and in the interest of the applicant.

Respectfully Submitted,

Richard Senturia, CEO
eRateProgram, LLC.